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### Institutional Strategic Management of Manpower Planning in Nusantara Malay Archipelago: (Case Study on Indonesia's Public Policy of Indonesian Migrant Workers (PMIs) Working in Malaysia)

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#### **Abstract**

The issue of Indonesian migrant workers (PMIs) working in Malaysia has been an ongoing sticking point in the Indonesian-Malaysian relations. Malaysia is reportedly the country with the highest number of complaints with regards to PMIs. This study aims to examine Indonesian migrant workers (PMI) working in Malaysia from an institutional perspective, especially vis-à-vis the planning processes, strategic management and conceptualizing the problem. This article is based on a research that posits a possible explanation to this problem from the perspective of human resource management process, especially in manpower or human resource planning. In pursuing this line of inquiry, the research analyzes the institutional players involved in administrating and managing the PMIs. It adopts a qualitative case study approach in policy analysis, albeit supported and complemented by quantitative data. Among the key findings of this study is the high degree of the bureaucratic and procedural complexities related to processing of migrant workers. This is largely contributed by the inefficiencies, lack of transparency and even more so the redundancies existing in the eco-system of various agencies involved in the planning and placement process of PMI, including those at the central, regional/provincial and local levels of governmental as well as private entities. Yet another key finding points to the lack of integrated coordination which is strategic and comprehensive between the governments of Indonesia and Malaysia in the form of Government to Government joint-machinery as well as intra-governmental operations in Indonesia. Consequently, the ones who often play a pivotal role in handling PMI are private agencies and individuals, while governments only act as facilitators. Evaluating from an institutional strategic management approach, improvements are needed in the manpower planning agencies in crucial areas, including human resource (manpower) development strategies, availability of human resource data, institutional personnel competencies in manpower development and career path planning capacity of the workers. Ultimately, with the third key finding of the research, this article questions the premise of the problem, which is the underlying presumption that PMIs are causing problems in Malaysia or that Malaysia is the worst destination country for PMIs. The research has discovered among the top countries with the largest number of complaints, Malaysia actually has among the lowest, if not the lowest percentages of complaints.

**Keywords:** *Migrant Workers; Indonesia-Malaysia Relations; Strategic Human Resource Management; Public Policy*

## Introduction

The Nusantara Malay Archipelago canvassing a vast area of water and land covers more or less most of the social geography of Southeast Asia. During pre-the colonial eras, the people were largely *Perantau's* or travelers. These *Perantau's* belong to this huge space of Nusantara community with many of them roaming from island to island and from straits to straits, fishing, trading, exploring, learning and teaching, building kinships as well as empires. During the Western colonial years, this *Perantau's* culture as roaming members of the Nusantara community was disrupted but the tradition was never been totally vanished. In post-colonial rule, with the independence of new nation states in Southeast Asia, the *Perantau's* who once roamed the Nusantara for many different reasons and performing various social functions, have been mainly reoriented to a specific economic role, namely as migrant workers. Although this does describe the entirety of the phenomena, this is largely the case, where they migrate to fill the manpower needs of neighboring countries, to serve various sectors such construction, agricultural estates, as well as service and care-giving.

In the article entitled "Policy-focused approach to manpower planning" published in International Journal of Manpower, Castley, R.J. (1996) explains that economic conditions in developing countries have changed and by implication so should their manpower planning. This observation is highly applicable to many nations in the Nusantara Malay Archipelago. Manpower planning or also known as human resource planning was initially seen as a force for economic development through proper human resource development. However, in practice in Indonesia, often it is limited to a small part of the workforce, especially skilled workers. Furthermore, in open markets, the tight competition makes unskilled individuals face difficulties to compete. This condition brings forth various employment problems, which include underemployment, informal sector unemployment and regular and irregular migration, either domestically or otherwise. The inability of manpower planning to address such important problems has caused various work-related complications and societal hardships.

Manpower planning provides the basis for a systematic approach in assessing the number and the type of people needed by an institution (Armstrong, 2012). Khoong (1996) said that manpower planning is the core of human resource management (HRM) that is supported by other aspects. Improved processes and systems on manpower planning imply benefits for HR and the overall institution. In particular, manpower planning examines the gap between staff availability (internal and external to the institutions) and staffing requirements (to perform tasks within the institution) over time and plans measures to narrow those gaps.

In many manpower planning systems, the common problem is that workers are not trained to identify competencies in preparation for future endeavors (Castley, R.J. (1996). In private sector institutions, major initiatives have been made in manpower planning, such as training, development and competitive restructuring. However, in the public sector, manpower planning is often limited to resource support. Comprehensive and systematic manpower planning that is fully integrated into the strategic planning is a choice that must be made by the government (Walters and Alan Cowling Mike 1990). Fyfe (1980) argues that integrated manpower information is necessary for the manpower planning process. With good manpower planning, it is expected to minimize workforce problems in an institution. Therefore, every agency must have institutional strategic management in the manpower planning process, if it aims to function at optimum levels. Hence, indeed, integration is a crucial part of this paradigm of institutional strategic management in manpower planning.

## Discussion

### *Challenges of Indonesian Migrant Workers in Malaysia*

In 2017, Indonesia had sent a total of 261,820 Indonesian migrant workers (PMI) around the world. This number exceeds the number of the previous year, which is 234,451 people. The most common destination country for Indonesian migrant workers is Malaysia probably due to its proximity to Indonesia and the similarity of its language, which suggests extensive language training prior to migration is not an absolute necessity. The majority of them demonstrated higher preference to work in Malaysia compared to other countries. In addition to the shared language, through various media as well as their own social networks, many Indonesians have familiarity to Malaysia which has shared cultural and religious commonalities making it less difficult for migrants to adapt.

**Table 1 Placement of Indonesian migrant workers (PMIs) by country in 2016-2017**

No.	Country	Year	
		2016	2017
1	Malaysia	87.623	88.991
2	Taiwan	77.087	62.823
3	Hong Kong	14.434	68.103
4	Singapore	17.700	13.379
5	Saudi Arabia	13.538	6.471
6	Brunei Darussalam	8.152	6.623
7	South Korea	5.912	3.728
8	UAE	2.575	1.667
9	Qatar	1.355	1.037
10	Kuwait	987	1.162
11	Oman	1.014	1.085
12	Italy	851	1.010
13	Turkey	498	8.11
14	New Zealand	286	3.32
15	Japan	75	5.38
16	USA	249	3.17
17	Maldives	154	2.83
18	Zambia	172	1.55
19	Brazil	130	1.87
20	Solomon Island	18	2.91
21	Gabon	46	2.35
22	Germany	108	1.70
23	Spain	126	1.42
24	France	17	2.44
25	Denmark	110	1.44
26	Others	1234	1.892
Total		234.451	261.820

Source: BNP2TKI

From the Table 1, it can be seen Malaysia ranks first as a destination country for Indonesian workers among many other countries with 87,263 people in 2016 and rose to 88,991 in 2017. The statistics is seemingly proportional to other neighboring countries, such as Singapore with only 17,700 people in 2016 and decreased to 13,379 in 2017. Even Brunei Darussalam, which has a direct land border

with Indonesia, accommodated only 8,152 people in 2016 and decreased to 6,623 in 2017. However, the proximity of Malaysia to Indonesia is not necessarily problem-free for migrant workers.

**Table 2 Indonesia migrant workers (PMIs) complaints by country in 2016-2017**

No.	Country	Year	
		2016	2017
1	Malaysia	1.535	1.777
2	Saudi Arabia	1.145	890
3	Taiwan	442	630
4	UAE	314	201
5	Singapore	204	181
6	Hongkong	195	104
7	Brunei Darussalam	92	108
8	Oman	122	55
9	Bahrain	102	61
10	Qatar	75	63
11	Syria	97	37
12	South Korea	65	53
13	Jordan	47	46
14	Kuwait	52	23
15	Algeria	37	4
16	Japan	12	26
17	Iraq	19	14
18	Turkey	21	9
19	China	16	7
20	Egypt	13	10
21	Fiji Island	6	11
22	South Africa	7	10
23	Uruguay	5	10
24	Peru	4	10
25	Libya	9	3
26	Others	125	132
Total		4.761	4.475

Source: BNP2TKI

Table 2 shows that the total number of complaints about problems related to PMI from 2017 to 2016 has decreased, but the complaints of PMI problems in Malaysia has increased, which is 1,535 complaints in 2016 and increased to 1,777 in 2017. Furthermore, comparing to other countries, Malaysia is the country with the highest complaint rate.

**Table 3 Number of Indonesia migrant workers (PMIs) died abroad in 2014-2016**

No	Country	2014	2015	2016	Total
1	Malaysia	13	103	137	253
2	Taiwan	37	26	27	90
3	Korea	8	6	11	25
4	Brunei Darussalam	6	4	13	23
5	Hong kong	6	4	10	20

Source: BNP2TKI

Table 3 shows deceased Indonesian workers abroad and were discharged to Indonesia. The majority of them worked in Malaysia. From 2014 to 2016, 253 Indonesian migrants died in Malaysia. The number increased from 2014 with 13 workers, then in 2015 increased dramatically to 103 people and in 2016 increased further to 137 people. There are several documented causes of death, such as illness, and work-related accidents.

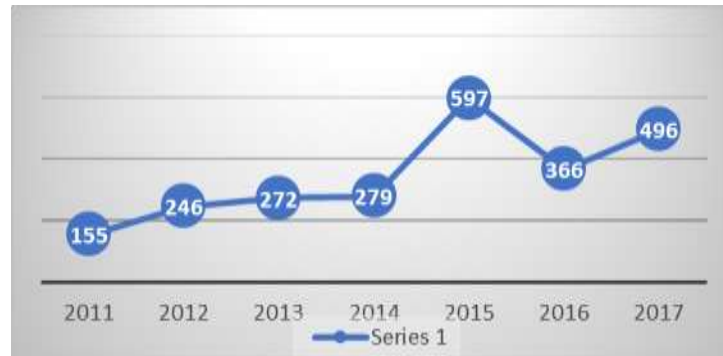


Figure 1 Number of PMI Complaints in East Java Province  
Source: BNP2TKI

Taking East Java as case example, Figure 1 indicates that the number of PMI complaints in East Java fluctuates but shows tendencies to increase over time. From 2011 to 2014, PMI complaints increased steadily, subsequently from 2014 to 2015 the number increased significantly from 279 cases to 597 cases. In 2016, the cases dropped to 366 cases and eventually experienced a spike in 2017 to 496 cases.

**Table 4 Types of PMI Problems in East Java in 2017**

No.	Problem types	Total (%)
1	Non-procedural (Irregular) PMI	31.07%
2	Went home out of own decision	16.49%
3	Death	15.78%
4	Lost communication	9%
5	Problem with employer	7.48%
6	Overwork	4.45%
7	Unilateral layoffs	4.25%
8	Problematic employer/died	3.13%
9	Documents and communications problem	0.91%

Source: UPT P3TKI

It can be seen from the Table 4 that the migrant workers' problems in Malaysia with the highest percentage is 'non-procedural' workers or illegal (irregular) migrant workers with 31.07% (those who do not follow the legal procedures), followed by migrant workers who returned home based on their own decision/discretion 16.49%, death 15.78% and so on. The proximity of Indonesia and Malaysia can be an advantage for these non-procedural workers. As an example of their common employment tactic, they left for Malaysia on grounds for vacations, but when they arrived in Malaysia, they worked in informal sector without following proper procedural requirements of Indonesian and Malaysian authorities or even illegally. Therefore, in many cases they ended up not having Overseas Workers Card (KTKLN) issued by Indonesian government under BNP2TKI and also not legally registered with the Malaysian government.

When migrant workers leave illegally, they will only trouble themselves as illegal workers and may possibly receive non-standard salaries and work benefits. Theoretically, foreign companies may not want to pay more as hiring illegal migrant workers is a legal violation. For violating the employment law,

a company can be sanctioned by the Malaysian government. In addition, Malaysia's single-entry permit that is often abused by the non-procedural or irregular workers is only for 30 days, even though it is visa-free. They must leave Malaysia before the 30 days are over. If they are still in Malaysia after the 30 days, their status automatically becomes illegal. Therefore, should any accidents occurred in the workplace, the government may not be responsible. On the contrary, legal migrant workers are entitled to get health insurance from Indonesia and from the destination country.

Based on the focus group discussions (FGDs), this research has identified several possible elements or explanations that contribute to the phenomenon where the PMIs ended up as non-procedural or illegal or (following the term used in the current standard international convention) 'irregular' workers. (1) Malaysia and Indonesia are close neighbors sharing a vast area of land and sea borders which makes access that much easier. There are many routes known as '*lorong tikus*' (rat's trail) for PMIs use to go in and out without documentations. Especially in border cities and states, some PMIs travel back and forth regularly. Indeed, there are even houses situated on the border, which means part of house is in Indonesia and the other in Malaysia. (2) When prospective workers are unable to fulfill the requirements, oftentimes they are able to falsify the documents to meet the requirements, such as manipulating the minimum or maximum age limits or even health certificates. (3) The registration process is considered complicated and overly-bureaucratic by many, as they need to at least undergo ten (10) stages or steps before they can obtain the Overseas Workers Card (KTKLN). Among others, they include recruitment, psychological and health examinations, PMI placement agreement, passport arrangement, PMI insurance, employment agreement, visa, Final Departure Briefing (PAP), issuance of Overseas Workers Card (KTKLN), and departure as well as arrival arrangement. (4) Alleged extortion by PPTKIS or scalpers. PPTKIS is a private entity given the approval to provide services for migrant workers. Based on the Regulation of the Minister of Manpower of the Republic of Indonesia Number 22 of 2014, with reference to the implementation of the placement and protection of Indonesian workers abroad, prospective migrant workers should not be charged when registering at the Manpower Office and PPTKIS may not collect recruitment fees from prospective migrant workers. Yet, there is a general perception that this private entity often scares prospective migrant workers with the long-windedness of the process and the bureaucratic hassles and hence eventually charge exorbitant fees. (5) Some PMIs have been working for decades and even have families in Malaysia. They, in turn, invited their relatives to work in Malaysia, but without obtaining a legal work permit or KTKLN from the authority. (1) Having the KTKLN card issued by the Indonesian government to recognize them as foreign workers is not a necessary condition to work in Malaysia. Many have entered the country using social visit visa and then only undergone a formalization process whereby they became legalized as foreign workers. Even with or without restrictions or a moratorium imposed by Indonesian government on them. Generally, the requirements for them to be legalized foreign worker are not very tight. The requirements include a letter by a potential employer in selected fields of work permitted by the Malaysian government, a special medical examination and health certification for foreign workers in Malaysia (FOMEMA), a valid passport and other necessary documentations needed to be processed by Malaysia's immigration office. Therefore, they may not be regular PMIs by the standards of Indonesia, but they are PMIs with legal status in Malaysia with all the rights granted to a foreign worker.

(7). Many PMIs actually feel that it is better to work as an 'illegal' or without permit. In Malaysia the term used for such cases is *pendatang tanpa izin* (PATI) which literally translates into outsider without permission. Yet in the interviews and FGDs, the research found that there are PMIs who claim they can make more money and have more freedom without working legally. This group of PMIs argue that contracts bind them and the pay is limited by the contract. One of their reasoning is that - why bound by contract, when they can come and out and be free to offer their services and negotiate for better pay. This may also explain that a large percentage of PMIs, half of them by some estimates, in Malaysia are PATIs. E.g. maid for hire (fake employer), playground contractor.

### ***Legal Basis for Indonesia Migrant Workers (PMI) Policy***

Every Indonesian citizen has the right to get a decent job without discrimination of ethnicity, religion, gender and others. The 1945 Indonesian Constitution has ensured decent employment opportunities for all Indonesian citizens contained in Article 27 Paragraph 2, "Every citizen has the right to work and to a decent living for humanity". From the article, it can be interpreted that Indonesia is obliged to provide opportunities for its citizens to work in order to meet the needs of decent living, such as opening jobs, workers protection and the like. Providing employment opportunities to all citizens not only those working locally, but also for those working overseas whom might not have left the country if there is equally good or better employment at home.

The Government's failure to provide employment has led to a low number of jobs in the country not commensurate to the number of workers in Indonesia. This creates the economic condition pushing Indonesian citizens to seek their fortune elsewhere in other countries, such as Saudi, Malaysia, Singapore, Brunei, Taiwan and others. Over the years, the number of Indonesia migrant workers has increased, both those working in formal and informal sectors. Migrant workers can reduce unemployment in the country, while also increasing the country's foreign exchange. However, it is not without risk, which is the inhumane treatment toward migrant workers such as harassment, violence, human trafficking, and other misgivings. Therefore, the government must be responsible and proactive to ensure the safety of PMIs.

Nevertheless, the Indonesian government has shown their concern as well. With the increasing problems of migrant workers, in Article 27 Paragraph (2) of the 1945 Constitution of the Republic of Indonesia, the Indonesia government issued Law No. 39 of 2004 concerning the Placement and Protection of Indonesian Workers Abroad. The law regulates the obligation of the country, which must provide protection for citizens who will exercise their rights to get jobs, especially abroad so they are able to obtain an employment placement but still prioritizing the occupational safety, whether physically, morally and with dignity.

Due to the growing complexities of the migrant workers' problems, the law needs to be reexamined and when necessary revised and updated to address any inadequacies vis-à-vis migrant workers' problems and realities. Provisions governing the placement and protection of Indonesian workers abroad in Law No. 39 of 2004 concerning the Placement and Protection of Indonesian Workers Abroad are not yet sufficient to meet the present needs of protecting PMIs. Unfortunately, to a certain extent, at times, there exists a kind of sectoral ego or territoriality in the service provision for migrant workers which often leads to the asynchronous dynamics within the various government's authorities. Yet the problematic dynamics may result in less-than-expected standards of services for PMIs. This is partly contributed by the disproportionality of bureaucratic burden. The proportional division of tasks, accountability and authority between the central government, regional government and the private sector has not been regularly reviewed and regulated. Having said that, the government has issued Law No. 18 concerning the protection of Indonesian migrant workers.

Under this law, the protection of Indonesian migrant workers will be carried out in an integrated system involving the central government, local governments and the public. In addition, this policy regulates the protection of migrants institutionally, which governs the duties and authorities of government including the ministry as the policymaker while the agency as the operator or implementation arm. With this policy, the aim is to establish firmness in both duties and authorities of the ministries and agencies, given that the problems so far are due to the dualism of authority between the two parties. Moreover, Law No. 18 of 2017 concerning Indonesian migrant workers protection has also adopted the International Convention on protecting the rights of migrant workers and their family members, which have been ratified through Law No. 6 of 2012 by the Indonesian government. The revision process in the formulation of the Law on the Protection of Indonesian migrant workers was time consuming.

Due to the interests of various parties in making of these policies, the whole process took up to seven (7) years. The discussion process began in 2010 with the revision of Law No. 39 of 2004 to be

included in the National Legislation Program (Prolegnas) until 2017. Law No. 18 of 2017 will replace Law No. 39 of 2004 concerning placement and protection of migrant workers abroad. However, Law No. 18 of 2017 had not been implemented at the time of this research because the derivative regulations of this law were still not in existence. The policy on Indonesian migrant workers has changed. Law No. 18 of 2017 will replace Law No. 39 of 2004 on placement and protection of migrant workers abroad. However, the law can only be implemented when the derivative regulations have been made.

### ***Placement of Indonesian Migrant Workers in Malaysia***

The placement of Indonesian workers is regulated by the Law of the Republic of Indonesia No. 39 of 2004 concerning the placement and protection of Indonesian workers abroad. PMI placement is a service to place prospective workers according to their talents, interests and abilities with employers abroad which includes the entire recruitment process, document management, education and training, shelter, preparation for departure, departure to the destination country and return from the destination country. Article 10 of the Law of the Republic of Indonesia No. 39 of 2004 concerning placement and protection of Indonesian workers abroad which states that the placement of migrant workers is carried out by the government and private sectors.

Placement of migrant workers abroad by the government can only be done on the basis of a written agreement between the government and the government of the destination country or its legal entities of the country. Such placement is usually called arrangement under Government to Government (G to G) or Government to Private (G to P). Provisions of the placement of migrant workers are governed by the government regulation of the Republic of Indonesia No. 4 of 2013 concerning the implementation of the placement of Indonesian workers abroad by the government. The placement by the government is carried out by BNP2TKI through ten (10) stages, they are: recruitment, psychological and health screening, placement agreements for prospective workers, passport arrangement, worker insurance arrangement, employment agreements, visa arrangement, Final Departure Briefing (PAP), issuance of Overseas Workers Card (KTKLN) and departure.

Subsequently, the placement of private migrant workers by private agency (PPTKIS) is carried out by legal entities that have obtained written permission from the government to provide overseas migrant workers services. Such scheme or program is usually called Private to Private (P to P) arrangement. The implementation of this program is regulated in Regulation by the Ministry of Manpower No. 22 of 2014 concerning the implementation of the placement and protection of Indonesian workers abroad. The permit granted by the government to PPTKIS is in the form of a SIP, which is a permit to recruit prospective migrant workers from certain regions, certain positions, and to be employed on certain prospective employers for a certain period.

In the case of East Java's local government, it too has its own regulations on migrant workers service, the East Java Regional Regulation No. 4 of 2016 concerning the service of placement and protection of Indonesian workers abroad with instructions of its administration on its Governor Regulation No. 17 of 2017 concerning the administration directive of the Regulation No. 4 of 2016. This policy governs the role of East Java provincial government in the placement of migrant workers to place them according to their talents, interests and capabilities in accordance with employers abroad, covering the entire recruitment process, document arrangement, education and training, shelter, preparation for departure, departure for destination country and the return from the destination country. In essence, this policy has the same tasks and functions.



## ***Agencies Involved in the Planning of Indonesian Migrant Workers***

### ***1. Central Government***

In Article 5 Law No. 39 of 2004 pertaining to the placement and protection of migrant workers, the government's duty is to regulate, foster, implement and oversee the placement and protection of migrant workers abroad. In carrying out these duties, the government may delegate its authority and/or duties to local governments in accordance with statutory regulations. Following that, in Article 10 Law No. 39 of 2004, the administration of migrant workers placement abroad carried out by the government and the private sector. Furthermore, under Article 94 Law No. 39 of 2004, the government established the National Agency for Placement and Protection of Indonesia Migrant Workers (BNP2TKI), which is a non-departmental government institution which reports directly to the President in Jakarta. This institution is an integrated service to guarantee and accelerate the realization of placement and protection of migrant workers abroad. The functions of the BNP2TKI are as follows:

- a. Placement based on a written agreement between the Indonesian government and the Government of the host country of PMI or legal entities in the destination / host country.
- b. To provide services, coordinate and supervise regarding documents, Final Departure Briefing (PAP), problem solving, sources of financing, departure-return process, skill quality improvement / capacity-building of prospective workers, information, administrator quality of PMI placement and upgrading the wellbeing of the workers and their families' welfare.

In 2006, the government issued Presidential Regulation No. 81 of 2006 concerning the national agency for placement and protection of Indonesian migrant workers as a legal basis for the BNP2TKI administration. With the issuance of this regulation, the duty of placement and protection of Indonesian workers abroad, which has been carried out by the Directorate General of Development of Overseas Workers Placement, and the Ministry of Manpower and Transmigration becomes the duties and responsibilities of BNP2TKI.

Based on the regulation of the head of the National Agency for Placement and Protection of Indonesia Migrant Workers No: Per. 01/KA/I/2014 (concerning the institution and administration of the National Agency for Placement and Protection of Indonesian migrant workers) and the regulation of the head of National Agency for Placement and Protection of Indonesian migrant workers No. 10 of 2016 (concerning the institution and technical administration unit for placement and protection of Indonesia migrant workers services), BNP2PMI establishes the technical administrative unit for placement and protection of Indonesia migrant workers under and reports to the head of the BNP2PMI through the Main Secretary, administratively and through Deputies, technically in accordance with their respective duties. Technical Administrative Unit (UPT) for placement and protection of Indonesia migrant workers service shoulders the task of providing smooth and expedient placement and protection service, as well as resolving migrant workers' problems in a coordinated and integrated manner in their respective work areas. This UPT is in 2 (two) classes, the first class is the Indonesian migrant workers Placement and Protection Service Center and the second class is the Indonesia Migrant Workers Placement and Protection Services Post.

The Indonesian migrant workers Placement and Protection Service Center is responsible to the head of BNP2TKI and has the task of providing services in processing all placement documents, protection and resolving Indonesian workers' issues in a coordinated and integrated manner in their respective working areas. In carrying out their duties, BP3TKI collaborates with relevant government agencies whether with the central government or local governments in accordance with their respective duties.

The next institution under this umbrella is LP3PMI, which is the National Agency for Placement and Protection of Indonesia Migrant Workers which has the task of providing services in the processing of all documents of placement and protection and resolving issues of migrant workers in a coordinated and integrated manner in their respective working areas. BP3PMI and LP3PMI have the same functions and tasks, which are processing placement documents, protection and resolving PMI s' problems. However, BP3PMI has better resources than LP3PMI. In carrying out its duties, LP3PMI establishes the Indonesian migrant workers Placement and Protection Service Post (P4PMI), which is to facilitate the departure and return of migrant workers at the gates of embarkation and disembarkation under the coordination of BP3PMI. P4PMI is a non-echelon unit in BP3PMI /LP3PMI, in which it is under and reports to the head of BP3PMI /LP3PMI. To ease the process of returning workers at the disembarkation of International Airport, BNP2PMI establishes the Indonesian migrant workers Return Service Post (P2KPMI). This institution has the task of providing facilities in returning services and facilitating all returning workers' documents from the arrival to the workers' hometown, as well as resolving migrant workers' problems in a coordinated and integrated manner with relevant government agencies. P2KPMI is administratively under and reports to the head of BP3PMI /LP3PMI and is technically under the Deputy of protection.

**Table 5 Duty and responsibility of the institutions**

No	Institution Name	Duty	Responsibility	Working Area	Total
1	BP3TKI	Having the task of providing ease of service in processing all placement and protection documents as well as coordinating and integrating migrant worker problems in their respective working areas	<ul style="list-style-type: none"> <li>• Administratively, to the Head of BNP2TKI through the Main Secretary</li> <li>• Technically, to the Deputies with their respective duties</li> </ul>	1-5 provinces	20
2	LP3TKI	Providing ease of service in processing all placement and protection documents and resolving migrant worker problems in a coordinated and integrated manner in their respective working areas	<ul style="list-style-type: none"> <li>• Administratively, to the Head of BNP2TKI through the Main Secretary</li> <li>• Technically, to the Deputies with their respective duties</li> </ul>	Province	3
3	P4TKI	Streamlining the departure and return of migrant workers at the gates of embarkation and	<ul style="list-style-type: none"> <li>• Head of BNP2TKI</li> </ul>	City and district	23

		debarkation which are under the coordination of BP3TKI who oversees them			
4	P2KPMI	Having the task of providing ease of services in returning and facilitating all documents of returned migrant workers from the arrival to the hometown of migrant workers, as well as handling migrant workers' problems in a coordinated and integrated manner with relevant government agencies.	<ul style="list-style-type: none"> <li>• Administratively, under and reports to the Head of BP3TKI / LP3TKI</li> <li>• Technically, under the Deputy of Protection</li> </ul>	Soekarno-Hatta International Airport	1

UPT BP3TKI /LP3TKI, P4TKI, and P4TKI are technical administrative units of Indonesian migrant workers Placement and Protection Services, which were established specifically to carry out BNP2TKI duties in some regions. Currently, BNP2TKI has 20 BP3TKIs, 3 LP3TKIs, 24 P4TKIs, and 1 P2KPMI. BP3TKI and LP3TKI have the same or similar duties and functions in the process of departure until arrival yet they have different working areas and facilities. Both institutions report directly to the head of BNP2TKI. BP3TKI and LP3TKI have the same or similar functions and duties in relation to the Indonesia migrant workers services; but their class characteristics are different. BP3TKI has a larger scope than LP3TKI. BP3TKI in Makassar for example, which has working areas in 5 provinces, they are South Sulawesi, Maluku, North Maluku, Papua and West Papua. In addition, there are P4TKIs that are formed to assist LP3TKI. That is because East Java is one of the regions with the largest number of PMIs in Indonesia.

In East Java, there is an LP3TKI located in Surabaya that oversees 4 P4TKIs, they are P4TKI Malang, P4TKI Sidoarjo, P4TKI Madiun and P4TKI Banyuwangi. This is due to the high degree of interest shown by the people in East Java to work abroad; and eventually, the government through BNP2TKI established several service posts throughout the region.

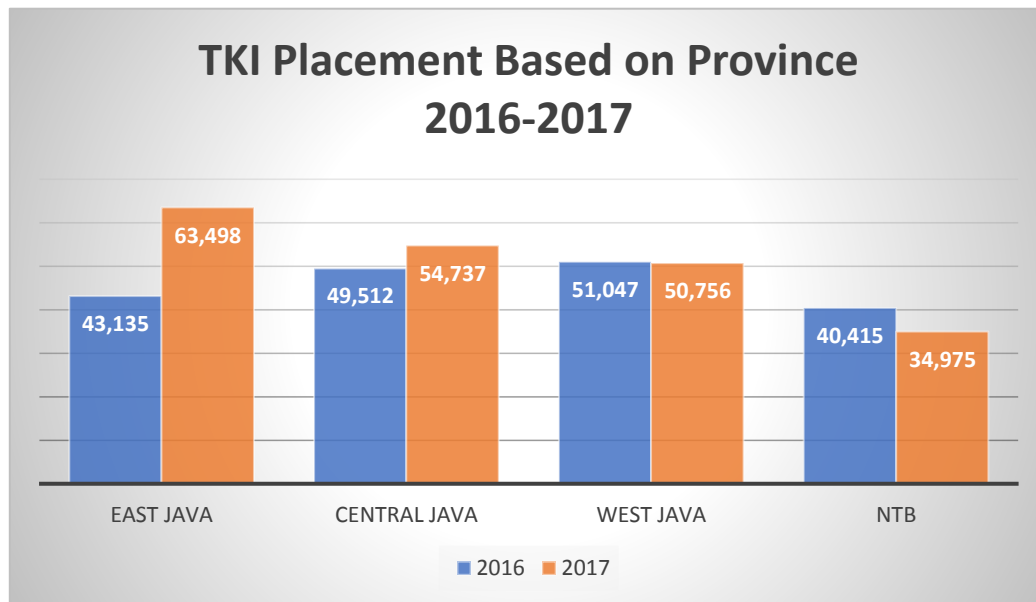


Figure 2 TKI placement based on province 2016-2017

Source: Adapted from BNP2TKI

In the end of 2019, President Joko Widodo (Jokowi) has decided to revitalize the national agency for placement and protection of Indonesian migrant workers BNP2TKI, and to be renamed or rebranded as the new Indonesian Migrant Workers Protection Agency (BP2MI). A side note, albeit noteworthy, *tenaga kerja* roughly means manpower; thus TKI, *tenaga kerja* Indonesia, can be translated to Indonesian manpower which may not be as politically correct or semantically accurate as Indonesian migrant workers (PMI). This decision was based on Presidential Regulation/ Directive (Perpres) No. 90 of 2019 concerning the Indonesian Migrant Workers Protection Agency (BP2MI). BP2MI is a non-ministerial government institution whose function is to implement policies in the service and protection of Indonesian migrant workers.

During this policy transition period, all existing positions and officials who hold positions within the BNP2TKI continue to carry out their duties and functions until the formation of new positions and the appointment of new officials based on this Presidential Regulation and its implementation.

## 2. Regional Government

In addition to the central government through BNP2TKI in migrant workers services, local governments also take part in their placement and protection services. The regional government of East Java through the Ministry of Manpower and Transmigration of East Java Province (Disnakertrans Jawa Timur) has a formal role in the service of migrant workers. As stated in the East Java's Governor Regulation No. 79 of 2016 concerning the position, organizational structure, duties description and functions, and the work procedures of Department of Manpower and Transmigration of East Java Province, East Java's Disnakertrans prepares coaching materials for prospective workers through the Final Procurement of Departure, as well as in research and signing of employment agreement of prospective workers. Subsequently, the Disnakertrans established the Technical Administrative Unit of the Indonesian migrant workers Placement and Protection (UPT P3TKI), which is specifically responsible to carry out some of the duties of Disnakertrans' services in document processing for placement, protection and problem solving for Indonesian migrant workers (PMI) in a coordinated and integrated

manner in pre and after placement. UPT P3TKI's nomenclature is regulated in East Java Governor Regulation No. 111 of 2016 concerning nomenclature, organizational structure, duties description and functions, and work procedure of East Java UPT Disnakertrans. If seen from their tasks, UPT P3TKI and UPT LP3TKI /BP3TKI have the same or similar tasks and tend to collide with one another given the context of responsibility over similarities or overlapping tasks. Eventually, coordination problems appeared to be occurring between the central government represented by BP3TKI /LP3TKI under the BNP2TKI and the regional government of East Java represented by the UPT P3TKI under the East Java Disnakertrans.

East Java Disnakertrans also has UPT for Agricultural Work Training, Overseas Workers Preparation and Development (UPT PKP3TKLN), which has the task of carrying out some of Disnakertrans' duties in job training, agricultural sector knowledge, preparation and development of overseas workers based on competency, and administration and community service. When viewed from the historical perspective, the regional government, in effect, plays a role as the central government representatives in the service of migrant workers. Ultimately, the central government, through BNP2TKI, formed the UPT P3TKI throughout the regions.

**Table 6 Comparisons of Duties between UPT BP3TKI / LP3TKI and UPT P3TKI**

	UPT BP3TKI / LP3TKI	UPT P3TKI
Parent Agency	National Agency for Placement and Protection of Indonesian migrant workers (BNP2TKI)	Ministry of Manpower and Transmigration of East Java Province
Duty	To provide seamlessness and ease in placement and protection services, as well as resolving PMI's problems in a coordinated and integrated manner in their respective working areas	To carry out official duties in the service of processing documents on placement, protection and resolving PMI's problems in a coordinated and integrated manner in pre- and post-placement.
	<ol style="list-style-type: none"> <li>1. Preparation of plans, programs and budgets</li> <li>2. Fostering, monitoring, and evaluating the performance of institutions related to the placement and protection of migrant workers</li> <li>3. Correctional Program placement and protection of PMI</li> <li>4. Mapping the supply, potential and harmonization of the quality of prospective migrant workers</li> <li>5. Registration and selection of prospective migrant workers (for placement by the Government)</li> <li>6. Verification of placement documents and protection of migrant workers</li> <li>7. Performing Final Procurement of Departure (PAP)</li> <li>8. Overseas Workers Card (KTKLN) issuance service</li> </ol>	<ol style="list-style-type: none"> <li>1. Preparation of plans and implementation of service programs for the placement and protection of migrant workers</li> <li>2. Fostering, monitoring and evaluating the performance of implementing agencies and supporting agencies for placement and protection of migrant workers</li> <li>3. Organizing correctional programs for placement and protection of migrant workers</li> <li>4. Overseas Workers Card (KTKLN) issuance service</li> <li>5. Information socialization and providing counseling to prospective migrant workers, migrant workers' families and general public</li> <li>6. Protecting prospective migrant workers, migrant workers, and their families in pre and after placement</li> <li>7. Collecting data, providing service</li> </ol>

	9. Managing data and information on the placement and protection of migrant workers. 10. Monitoring the placement and protection of migrant workers in the placement country in coordination with Indonesia's Representative Office 11. Carrying-out mediation, advocacy, and problem-solving for migrant workers 12. Implementation of the empowerment of Indonesian Citizens Overstayer (WNIO) / Troubled PMI (PMI -B) / returned PMI and their families	information, and developing information systems and networks for placement and protection of migrant workers 8. Empowerment and procurement of the departure of migrant workers 9. Monitoring of placement and protection of migrant workers in the destination country 10. Adminstrating registration and screening of prospective migrant workers through placement by the Government (G to G and G to P) 11. Monitoring the supply and administrating certification for prospective workers 12. Facilitating the resolution of PMI problems 13. Facilitating the formation and coordination between related agencies in One-Stop Integrated Service Institution (LPTSA) 14. Monitoring the administration of foreign cooperation and promotions 15. Preparing reports and ensuring accountability for the results of the programs 16. Adminstrating administrative duties 17. Adminstrating other duties given by the Head of Service
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Source: Analysis by the authors

Table 6 shows that BP3TKI /LP3TKI and P3TKI have almost the same duties, even with regards to their main duties. All agencies have a basic duty of providing data processing services on the placement, protection and complaints about PMI. Also, the two agencies have the same geographical scope, covering the entire region of East Java. Hence these two agencies are seen as redundant or inefficient and wasteful at least as far as resources, especially financially. But with the issuance of Law of the Republic of Indonesia No. 18 of 2017 concerning the protection of Indonesian migrant workers, a more well-distributed authority and duty can be carried out efficiently from the central government to the local government.

**Table 7 Analysis of Authority and Duties between Central Government, Provincial Government and City/ Regency Government vis-à-vis services for Indonesian migrant workers (PMIs)**

Types/Levels of Government: 1. Central	2. Province/ Provincial	3. City/ Regency	4. Local
a. To ensure the protection of prospective Indonesian migrant workers and/or Indonesian migrant workers and their families	a. To organizing education and training programs by accredited Government and/or private education and job training institution	a. To disseminate the information and demand of Indonesian migrant workers to the public  b. To create	a. To receive and provide information and demands from agencies that conduct government affairs in the

<p>b. To regulate, educate, implement and supervise the placement of Indonesian migrant workers;</p> <p>c. To ensuring the fulfillment of the rights of prospective Indonesian migrant workers and/or Indonesian migrant workers and their families</p> <p>d. To establish and developing an integrated information system in the administration of the placement and protection of Indonesian migrant workers</p> <p>e. To coordinate cooperation between related agencies in responding to complaints and handling the case of prospective Indonesian migrant workers and/or Indonesian migrant workers</p> <p>f. To manage the returning Indonesian migrant workers in the event of wars, natural disasters, epidemics, deportations and problematic individuals</p> <p>g. Making efforts to</p>	<p>b. To manage the returning Indonesian migrant workers in the event of wars, natural disasters, epidemics, deportations, and problematic Indonesian migrant workers according to their authority</p> <p>c. To issue permits for branch offices of Indonesian migrant workers Placement Company</p> <p>d. To report the results of the evaluation on the Indonesian Migrant Worker Placement Companies periodically to the Minister</p> <p>e. To protect Indonesian migrant workers before and after</p> <p>f. To provide assistance and service posts at the departure and arrival of Indonesian migrant workers that meet requirements and health standards</p> <p>g. To provide and facilitating training programs for prospective Indonesian migrant workers through vocational training, which the budget comes from the</p>	<p>database of Indonesian migrant workers</p> <p>c. To report evaluation results of Indonesian migrant workers Placement companies periodically to the regional government</p> <p>d. To manage of returning Indonesian migrant workers in the event of wars, natural disasters, epidemics, deportations, and problematic Indonesian migrant workers according to their authority</p> <p>e. To protect Indonesian migrant workers before departure and after arrival in their respective Regency/city</p> <p>f. To organize education and job training programs for prospective Indonesian migrant workers in cooperation with the accredited government and/or private</p>	<p>field of employment</p> <p>b. To verify the data and registration of prospective Indonesian migrant workers</p> <p>c. To facilitate the fulfillment of administrative requirements for prospective Indonesian migrant workers</p> <p>d. To monitor the departure and return of Indonesian migrant workers</p> <p>e. To empower prospective Indonesian migrant workers, Indonesian migrant workers, and their families</p>
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<p>ensure the fulfillment of the rights and protection of Indonesian migrant workers in the country of placement</p> <p>h. To draft policies on the protection of Indonesian migrant workers and their families</p> <p>i. To stop or prohibiting the placement of Indonesian migrant workers for certain countries or in certain positions overseas</p> <p>j. To negotiate entrance into certain countries or positions that are closed to the placement of Indonesian migrant workers</p> <p>k. To publish and revoke SIP3MI</p> <p>l. To coordinate inter-agencies related to the policy of Indonesian migrant workers protection</p> <p>m. To appoint officials as employment attaché to be placed in the representative Office of the Republic of Indonesia at the Minister's proposal</p>	<p>educational function</p> <p>h. To organize and to educate, implementing and supervising the placement of Indonesian migrant workers</p> <p>i. To establish a one-stop integrated service for placement and protection of Indonesian migrant workers at the provincial level.</p>	<p>educational and job training institutions</p> <p>g. To conduct education and supervision of educational institutions and job training institutions in the regency/city</p> <p>h. To conduct social and economic reintegration for Indonesian migrant workers and their families</p> <p>i. To provide and facilitate training for prospective Indonesian migrant workers through vocational training, which the budget comes from the educational function</p> <p>j. To organize and educate, implementing and supervising the placement of Indonesian migrant workers</p> <p>k. To establish a one-stop integrated service for placement and protection of Indonesian migrant workers at regency/city</p>	
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n.	To provide and facilitate training for prospective workers through vocational training, in which the budgets come from educational functions.		level	
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Source: Analysis by the authors

Table 7 describes the distribution of authority and duties between the central government, provincial governments, regency/city governments and local governments. Based on the Law No. 18 of 2017 on the protection of Indonesian migrant workers, the process of migrant workers services starts from the lowest level of government, which is the local government, as it is the closest government to the community and is considered to know the actual conditions of the community. The local government is given the duty to verify the data and the recording of prospective Indonesian migrant workers and to facilitate the fulfillment of the administrative requirements of the prospective workers. This part of the process is critical, given the competence of the apparatus in the government level still needs regular reviews and improvements. Several things that need to be considered concerning the policy, especially the involvement of local government in the process of placement of Indonesian migrant workers.

The first is the competency of the local apparatus. Currently, the educational quality of the majority of human resources at the local government level is still at high school levels or the equivalent, and even in some so-called underdeveloped regions, there are still government staff with only junior or elementary school education. Based on such levels of local governments' competence, it is risky to hand over to them the authority and duties of verifying data and recording prospective workers and facilitating the fulfillment of administrative requirements for prospective Indonesian migrant workers. One of the many violations that have been frequently detected is file forgery. Many prospective workers or their agents have taken advantage of this weakness and have falsified the PMI's identities or altered certain information such as date of birth and marital status in order to meet the legal or preferred requirements.

Second policy consideration revolves around budget or funding. In the 2015 Revised State Budget, the government dispensed Rp20.76 trillion to local governments. While in the 2016 Revised State Budget, the government dispensed a total of Rp 46.98 trillion and in 2017, Rp 60 trillion. From these funds, each village is allocated to receive a budget of up to Rp 1 billion. However, some villages have difficulties in carrying-out these duties, including matters such as budget absorption and accountability report. Yet to be fair to the local governments, the detailed instruction or guide of budget usage is still not present at that level. In the context of implementation of the program, it is still not crystal clear to many whether it is taken from village funds or operational funds from the central government.

### 3. Private Institutions

This section examines the capabilities of the Indonesian Manpower Company (PPTKIS) in conducting manpower or human resource planning. Up to this point, the scheme for the placement of Indonesian workers into Malaysia has not been carried out by the government, only through PPTKIS. Liew Swee Liang (2005) uses a strategic management approach to assess manpower planning agencies through five indicators, namely responsibility and accountability, availability of information, human resource (HR) system and strategies, HR competency and strategic partnerships.

a) *Responsibility and Accountability*

In this indicator, PPTKIS has responsibilities ranging from the process up to the placement of workers, especially in the matter of increasing the competency of prospective workers. Also, PPTKIS is fully responsible for the safety of prospective workers who will be dispatched and returned home. They are responsible in case of incidents throughout the working period. In addition, PPTKIS is responsible for registering health and manpower insurance of workers. PPTKIS also conducts training if companies require certain job specifications, which require workers to have special skills.

Manpower placement is still guided by the Law No. 39 of 2004, although at present, the latest law emphasizes more on competency development. However, there are some PPTKIS agencies that focus on bringing formal migrant workers abroad; thus, training for prospective workers is not fully required. If they were placed as a field operator that primarily deal with machines, then communication is not a problem, as Malaysia uses the Malay language, which is easily understood by Indonesian workers. Besides that, they rarely need high levels of language proficiency and communication is often limited at work. Workers who require special training are the ones who will work in informal sectors, such as domestic helpers as they work face to face with people. Communication, especially cross-cultural communication is highly relevant to workers in the informal sectors than those in the formal sectors, given that Malaysia is a multi-ethnic and multi-nationality country. Unlike Indonesia, even many of the non-Malay Malaysian citizens do not converse Malay language well. PJPMI that do not have BLKLN can partner with other PJPMIs that have it.

a) *Availability of Information*

The availability of employee data is essential for the analysis of employee development strategy. However, some PJPMIs only cover basic personnel information, which is insufficient to be used for assessment of competency requirements. This is due to the fact that there is hardly any fully functioning integrated information system or employee data bank. In addition, the availability of information must also be accessible by prospective workers, such as salary, type of work, working hours and other relevant data. By law, Malaysian companies must implement fair assessment in payroll where overtime salary is greater than the basic salary.

In the recruitment process, PJPMI utilizes the digital technology, especially social media and websites. In addition, they also disseminate information to vocational schools. However, several constraints are found when doing so, such as unhealthy competition, even exploitation involving individuals who would ask for upfront money from prospective workers or their families. Furthermore, there also PJPMIs that have not been transparent in providing information, such as the type of work and employee salary.

For the information on Indonesian migrant workers' data, the government has a database or an integrated database throughout Indonesia. Prospective candidates must register to Disnaker (regency/city) after been to PPMI/PJPMI to get their migrant worker identification (PMI ID). The process of making PMI ID uses the information from the Migrant Worker Computerized System (SISKOTKLN), which is managed by BNP2TKI and widely accessed by the governments at the province to the city/regency. SISKOTKLN is a data collection system for prospective Indonesian migrant workers who will leave the country. It integrates related stakeholders to the placement of migrant workers, including regency/city offices, PPTKIS, training center for migrant workers, health facilities, insurance, psychological assessment, competency test institutions, financial institutions and Indonesian representatives overseas. With this system, all parties that are having an interest in Indonesia migrant workers are technically able to access data and track the individual records of the workers.

### b) *HR System and Strategies*

This indicator shows the organizational ability to develop manpower. Ideally, the company should manage the welfare and employment stability of their employees, including guidance for their career paths. Liew (2005) found that manpower planning was only limited to new strategic positions. This is because career opportunities of employees even executives are increasingly shrinking and even becoming competitive, from low-level management to top-level management.

Henceforth, more often than not, there is limited career path for Indonesian migrant workers, especially if their skill sets remain stagnant. To extrapolate on this point, likewise, the majority of PMIs in Malaysia who work in the informal sector or domestic helpers too do not have promising career paths under the same organizations or employer. Therefore there are constraints in both the formal and informal sectors. What the authors have found is that those who seem to move up the socio-economic mobility ladder are often those who become investment savvy and/or move out and monetize their talents and network or are discovered and re-hired into better positions by different organizations or employers. Yet, PJPMI is not responsible for the workers' future careers. PJPMI is merely a manpower placement service, recruiting prospective workers and placing them to work overseas. However, the government has an innovation in the human resource development of returning workers, by providing business training to those who no longer wish to return overseas as migrant workers. They were trained on how to operate businesses in their regions, such as shops, farming, raising livestock, and the likes.

### c) *HR Competency*

This indicator focuses on the HR capability in carrying out organizational goals. One main purpose of manpower planning is for an organization to plan its manpower in accordance with the current as well as future organization needs. In addition, the organization must be able to develop manpower through training. In East Java, there are 127 PPTKIs, consisting of 73 central PPTKIs and 54 branch PPTKIs, whereas the number of Overseas Work Service Centers (BLKLN) is only 75 in 2016. So, PPTKIs without BLKLN can cooperate with PPTKIs with BLKLN.

There are several PJPMIs that do have BLKLN. Usually, those that have BLKLN are large PJPMIs that are able to finance the BLKLN operations. The Government provides formal certification to BLKLN for organizing courses or training for prospective migrant workers. This is a form of government's monitoring on BLKLN performance. In addition, the government through BNP2TKI focuses on the establishment of supporting institutions to foster BLKLN. The purpose of establishing the supporting agency is to improve the quality of BLKLN performance, to improve the training and education quality of prospective workers in the placement and protection of migrant worker services, and to increase supervision of the implementor of related legislations.

Limitation of human resources in some PPTKIS can be addressed by partnering with other PJPMIs. Some PJPMIs bring in trainers from outside the agency as there is no specific trainer from their agency. Indeed, many stand-alone training centers can provide specific competency certifications to fulfil the training needs as Malaysia requires workers to have a certificate to be able to work in its country.

### d) *Strategic Partnership*

Strategic partnership is out-of-the-box means of improving improve organizational performance while facing limited resources. Within the backdrop of constraints that all PJPMIs have sufficient resources to develop the potential of migrant workers, some PJPMI indeed partnered with other agencies. Therefore, with strategic partnership, for instance, when overseas partner companies sent job orders to recruitment agencies, the Indonesian recruitment agency can look for prospective candidates and register

them to the government, without spending money for travelling abroad. However, based on the process of the placement of migrant workers, the workers must register in advance to the Department of Manpower. Only by then the recruitment agencies can recruit based on the available job orders offered by its partner companies.

The manpower planning process with Malaysia as the destination country indeed requires more attention, even though the success rate is higher. However, migrant workers' problem is in the public spotlight and have to potential to become a political issue between the two countries. Judging from the strategic management perspective discussed earlier, there are several matters that need to be improved. Among them are manpower development strategies, availability of manpower data, organizational personnel competency in manpower development and manpower career paths. Therefore, manpower planning is a crucial part of the strategic management. Fyfe, (1980) argues that the use of manpower information can be utilized as follows:

1. Employers can rationalize their own information retrieval system in dealing with external agencies.
2. Public institutions need to consider in advance how they will use each piece of information for several purposes and reduce the number of requests for manpower information.
3. Information can be used effectively in providing assistance to employers for manpower planning.
4. Information can be used effectively for sub-regional, regional, and even national manpower planning purposes.

In addition to this, John S. Edwards, (1983) explains the manpower planning consists of three elements, namely:

- a) Predict future demand for manpower. Predicting manpower demand can be seen from changes in productivity, technology, market strength and company trends, and company strategies.
- b) Predict future manpower supply. Predicting supply by keeping track at current manpower stocks and see future hiring, waste/inefficiencies, working conditions, promotion policies and manpower market trends.
- c) Formulate policies to resolve the difference between manpower demand and supply. Closing the gap by evaluating training, remuneration, career planning and further considerations.

### ***Concluding Analysis and Further Reflections***

We conclude this article with three contentions.

#### ***Our First Contention***

Our first contention is that the problem with the placement of migrant workers in Malaysia is complex; hence, requires comprehensive understanding and strategic planning supported with systematic monitoring and following through. These problems can be seen from an institutional perspective. From an institutional standpoint, there are several key issues regarding institutional coordination between government agencies handling the placement of migrant workers. This is highlighted in the analysis. In addition, placement done by PJPMIs still needs evaluation. The government must be more careful with the placement of migrant workers to Malaysia given the high interest in the country among workers. The data seems to indicate that the most common case of migrant workers' problems is with Malaysia; at least this is the narrative of many mainstream media.

#### ***Our Second Contention***

To overcome this issue, our second contention is that a strategic Government to Government (G-to-G) program between Indonesia and Malaysia needs to be integrated into solution framework with a high degree of integrity and responsiveness. As shown in the Figure 3 below, with the smooth flowing of G-to-G Indonesia-Malaysia program, manpower planning policies for Indonesian migrant workers who

work in Malaysia can be formulated and executed properly. It has three key components. (1) Bi-national Institutionalism / Joint-institutional body: Both governments need to commit to a joint-institutional effort by establishing a permanent or semi-permanent body that have the authority to implement the agreed upon policies and programs; (2) Strategic Functions: these functions are to be regulated, reviewed and reinforced on a regular basis in order to align the functions and the outcomes to the strategic aims (3) Assessment of Responsiveness and Integrity by Community.

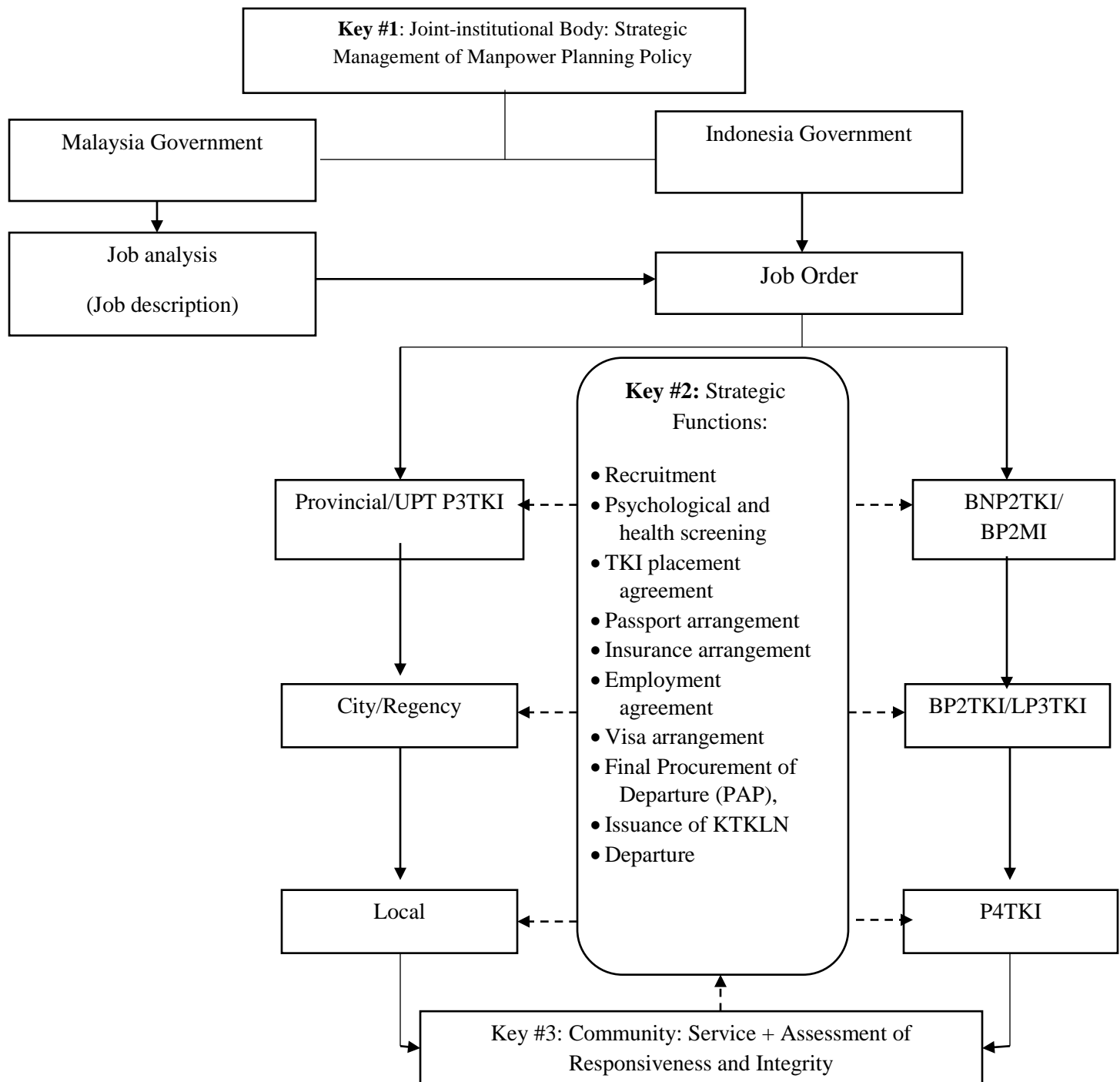


Figure 3 The conceptual flow of manpower planning policy in Indonesia

### *Our Third Contention*

Our third contention delves into numbers and reality. There is a general assumption that the country with the largest number of cases of PMI's complaints is the most problematic place for PMIs and hence warrants a solution to the problem. This is especially so if that country continues to be the favorite destination of PMI's, at least behaviorally. Indeed, this seems logical and commonsensical. Malaysia happens to be that problematic country. But the evidence is quite the opposite. In fact, it ranks as one of the countries with the least problems, especially if number of complaints is used as a yardstick. Integrating data from BNP2TKI and Indonesian Economic and Financial Statistics of Bank of Indonesia, the mathematical analysis and empirical proof demonstrates this reality. As evident in Table 8, in the top ten countries with the highest number of complaints, Malaysia ranks number one, implying the worst position. Yet if the incidents of complaints are calculated relative to the total number of PMIs working in the country, Malaysia has the lowest percentage in 2016 and the second lowest in 2017, 0.08% and 0.09% respectively compared to the rest.

**Table 8 Indonesia migrant workers (PMIs) complaints by country in 2016-2017**

No.	Country	Year: 2016		Year: 2017	
			Total Numbers of Complaints/ % out of Total number of PMIs		Total Number of Complaints/ % out of Total number of PMIs
1	Malaysia	1,862,000	1,535 / 0.08%	1,876,000	1,777 / 0.09%
2	Saudi Arabia	969,000	1,145 / 0.11%	963,000	890 / 0.09%
3	Taiwan	177,000	442 / 0.25%	208,000	630 / 0.3%
4	UAE	60,000	314 / 0.52%	51,000	201 / 0.39%
5	Singapore	106,000	204 / 0.19%	98,000	181 / 0.18%
6	Hongkong	132,000	195 / 0.14%	178,000	104 / 0.06%
7	Brunei Darussalam	32,000	92 / 0.28%	30,000	108 / 0.36%
8	Oman	12,000	122 / 1.0%	6,000	55 / 0.91%
9	Bahrain	3,000	102 / 3.4%	1,000	61 / 6.1%
10	Qatar	7,000	75 / 1.1%	4,000	63 / 1.6%

- Analysis from the authors

Therefore, to be clear, our third contention is that the perceived problem and the main narrative expressed through media and in political discourses with regards to PMIs having problems in Malaysia or that Malaysia is a problematic country to Indonesian migrant workers is false and is not too far from a form of hate speech and even arguably racist. Highlighting bad news of brutal or dramatic cases, the media in both countries play up this distorted narrative, while sensationalizing the bad news with the other person being the bad guy or the surreal offender.

Nevertheless, the bond between Indonesia and Malaysia is not merely limited to or originated from the new capitalist globalization, but as noted earlier, it also goes back centuries ago where the whole region is part of Nusantara Malay Archipelago. The people and many of their descendants remain connected via kinships or other connections, be they social, economic or even political. A number of the

royal families and families of the political class in Malaysia (e.g. the prime minister, former prime minister and former deputy prime minister) have blood and familial links with those in Indonesia, including the ones in Java, Sumatera and Sulawesi. Malaysia maybe an attractive market for PMIs' employment but more importantly, Malaysia and Indonesia are part of this Nusantara community with shared cultural heritage and shared social capital; hence, Indonesians coming to Malaysia are merely continuing an old tradition as *Perantaus* who roam in Nusantara social-cultural space. This may explain why the continuous roaming of *Perantaus* into Malaysia, while showing the lowest percentages of complaints as evident in the empirical data.

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